

City Council Special and Regular Meetings, July 11, 2000

Twin Pines Senior and Community Center, 1223 Ralston Avenue

SPECIAL MEETING: 7:00 P.M.

CLOSED SESSION

A. Conference with Labor Negotiator, pursuant to Government Code Section 54957.8:

1. BPOA

Attended by Councilmembers Warden, Hahn, Wright, Rianda, Cook, Interim City Manager Lewcock, City Attorney Savaree, and Acting Assistant to City Manager Bridges and Ms. Finney, IEDA and Police Chief Goulart. City Clerk Kern was excused from attending.

Adjournment at this time, being 7:10 P.M. this Closed Session was adjourned.

Meeting was not tape recorded

Kathy Kern

Belmont City Clerk

REGULAR MEETING - 7:30 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Warden, Hahn, Wright, Rianda, Cook

COUNCILMEMBERS ABSENT: None

Staff Present: Interim City Manager Lewcock, Public Works Director Curtis, Interim Community Development Director Macris, Principal Planner de Melo, Senior Planner Livingstone, Finance Director Fil, Police Chief Goulart, Fire Chief Jewell, Parks and Recreation Director Mittelstadt, Technology Specialist Harnish, City Attorney Savaree, City Clerk Kern

REPORT FROM CLOSED SESSION

Mayor Cook announced that information was given.

PUBLIC/COUNCIL COMMENTS

Mayor Cook invited anyone to comment on anything not on the agenda. There was no response to this invitation.

AGENDA AMENDMENTS

Mayor Cook announced that a Resolution of Appreciation for Commander Richie would be added to the Consent Calendar. Consent Calendar items 4-F,(Geier Contract); 4-G(Appreciation to J. Violet); 4-H (contract Alexander Park 4c-1(Ltr from Supvr Gibson) would all be removed for separate consideration.

CONSENT CALENDAR

Approval of Warrant List Dated: June 16, 2000 in total amount of \$224,238.01 and June 23, 2000 in total amount of \$324,207.05.

Written Communication 2). Ltr. to FCC re. KMTP, SF, Reply to opposition to complaint for Carriage; 3). AT&T Broadband, LLC comments addressing KMTP's petition for declaratory ruling concerning compliance with the non-commercial TV standards of Sect. 399B of the communications act of 1934, as amended, to FCC; 4). Ltr. from Sempra Energy to FCC re Electric Distribution Std's proceeding – SDG&E's GO 165 Annual Corrective Maintenance Report; 5). Filing of S. Cal Edison (U338-E) Annual Compliance Report filed pursuant to GO 165; 6). Filing of PacifiCorp's (U901-E) Plan for Inspections, Record Keeping, and Reporting D.97-03-070, I.95-02-015/R.96-11-004.

Motion to approve Claims Management Report.

Motion to waive reading of Ordinances

Ordinance No. 951 amending Chapter 15, Article IV, sale of drug paraphernalia to minors and minors' solicitation of alcoholic beverage purchase. (2nd reading and adoption).

Resolution No. 8785 approving a Memorandum of Understanding between the City of Belmont and the Belmont Police Officers Association.

Motion proclaiming July as Parks and Recreation Month in the City of Belmont.

Resolution No. 8786 honoring Commander Lawrence L. Riche upon his retirement.

Consent Calendar adopted as amended. Moved by C. Warden, seconded by C.Rianda and approved unanimously, by show of hands.

ITEMS CONSIDERED OFF CONSENT CALENDAR

Written Communication 1). Ltr. from Supervisor Gibson re: KLEAR program

Mayor Cook stated that she would like Council concurrence to send a letter to Supervisor Gibson in support of this program, which stood for Kids Learning Empathy and Respect.

Council concurred to letter being sent in support of program.

Action: on motion by C. Rianda, seconded by C. Wright, and approved, by show of hands, to send letter in support to Supervisor Gibson for this KLEAR program.

Consideration of Resolution authorizing and directing the City Manager to enter into an Agreement with Geier & Geier Consulting to conduct an environmental study for the proposed San Ardo Way Road Plan.

Senior Planner Livingstone stated that this agreement was to conduct an environmental study for San Ardo Way and not the road plan. He explained that the developer owned seven lots and was proposing to develop four lots

and three lots would be dedicated to open space. He noted that there was one lot that was owned by another person. Senior Planner Livingstone explained that the plan for this area promoted transfer of floor area to the buildable lots.

Principal Planner de Melo explained that the developer had decided to stop the road just below San Ardo Way because of the Potential Debris Flow Zone (PDF) shown on the geologic map for the area.

In response to C. Rianda, Principal Planner de Melo stated that the applicant would have to create an open space easement over the three lots, so construction could not take place.

Principal Planner de Melo stated that the scope of work could be expanded to include the whole roadway connection from San Juan to San Ardo, if the Council directed. He said the applicant was considering a hammer head design, but would wait until the review had been completed by the Public Works and Fire Department before the application was complete.

C. Rianda asked if the report would provide alternatives on how to minimize road improvements to prevent steep slopes in front of the houses.

Principal Planner de Melo stated that alternatives and mitigation measures were included in environmental studies.

C. Rianda asked if this report would include a recommendation would come out of this report on whether the road should remain private or public. She said this road had been accepted, but not for maintenance.

Ms. Reyes, 3009 San Juan Blvd, stated that she lived across the street from this proposed development and was opposed to this plan because of the traffic, and how it would effect the wildlife and vegetation in the neighborhood.

Ms. Hansen, 3004 San Juan Blvd, stated they had lived in the area for 30 years next door to this development. She said she was opposed to the development because of the traffic and the fear of more landslides onto her property.

Mr. Petri, 3008 San Juan Blvd, stated he was opposed because of traffic, parking and safety impacts. He said he was also opposed because of the unknown environmental impacts of the land and was concerned about constructing a road way in this area.

Mr. Mukherjee, 3006 San Juan Blvd, said he was concerned about the traffic and upsetting the vegetation in that area.

Action: on motion by C. Rianda, seconded by C. Hahn, and approved unanimously, by show of hands to adopt:

Resolution No. 8787 authorizing and directing the City Manager to enter into an Agreement with Geier & Geier Consulting to conduct an environmental study for the proposed San Ardo Way Road Plan.

Council concurred to have scope of work include having the full road evaluated and present recommendations on whether the City should make the road private/public and whether voluntary re-consolidation of lots to limit homes in the area would be necessary.

Consideration of Resolution of Appreciation and Acceptance of \$500 donation from the Allstate Foundation.

C. Hahn thanked Mr. Violet for this generous donation for the City of Belmont.

Action: on motion by C. Hahn, seconded by C. Wright, and approved unanimously, by show of hands to adopt:

Resolution No. 8788 of appreciation and acceptance of \$500 donation from the Allstate Foundation.

Consideration of Resolution approving the award of contract to Lone Star Landscape in the amount of \$379,972.10 for improvements to Alexander Park, City Contract No. 405.

Parks and Recreation Director Mittelstadt requested that Council approve the base bid for Alexander Park. He explained that the bid was \$30,000 over the budgeted amount but this amount would be augmented during the mid-year budget review to cover these funds.

Action: on motion by C. Rianda, seconded by C. Warden, and approved unanimously, by show of hands to adopt:

Resolution No. 8789 approving the award of contract to Lone Star Landscape in the amount of \$379,972.10 for improvements to Alexander Park, City Contract No. 405.

Council concurred to include Alternates 1 thru 5 in the base bid. They concurred that this funding augmentation would come from the Redevelopment Agency.

Mr. Lawhern, 408 Hiller Street, thanked Council for completing this project. He said the neighborhood was looking forward to having some of these long standing projects completed.

PUBLIC/HEARING

Consideration of Introduction of Ordinance amending Chapter 21 of the Belmont City

Code (establishing Usage Based Sewer/Storm Drain Rates) and adoption of

Resolution establishing usage based sewer rates.

Finance Director Fil explained that this study had been started last year to determine options to fund the future operating and capital needs in the sewer and storm drain enterprise fund.

He explained that this ordinance had been reviewed by a law firm that specialized in Proposition 218 compliance and would implement the usage base fee structure for residential and commercial rates based on winter water usage. Finance Director Fil reviewed the steps that had been taken since June 1999 to determine that this option was necessary to fund the enterprise funds.

Mayor Cook opened the public hearing.

On motion by C. Wright, seconded by C. Warden, and approved unanimously, to close the public hearing.

Action: on motion by C. Wright, seconded by C. Warden, and approved 4-1, (Rianda, no), by show of hands to introduce Ordinance: amending Chapter 21 of the Belmont City

Code (establishing Usage Based Sewer/Storm Drain Rates) Second reading and adoption on July 25, 2000.

Action: on motion by C. Warden, seconded by C. Wright, and approved 4-1, (Rianda, no), by show of hands to adopt:

Resolution No. 8790 establishing usage based sewer rates.

C.Rianda stated that she voted no because she did not think the public had been given adequate notice on this change in rates.

BOARD, COMMISSION, COMMITTEE UPDATES, AND STAFF REPORTS

Discussion and direction regarding the Projects Schedule.

Interim City Manager Lewcock explained that he would like to have time to review the various department projects. He suggested that this be done at a study session and then recessed to Old Business during the Regular Meeting to complete this review.

Council concurred to hold a study session on July 25th, starting at 6:00 P.M. which would be continued to Old Business during the Regular Meeting to complete discussion.

ADJOURNMENT at this time, being 9:50 P.M. this meeting was adjourned.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded and Televised

Tape No. 469

20-5b- 28c